

1 A bill to be entitled

2 An act relating to the Wekiva Onsite Sewage Treatment and
3 Disposal System Compliance Grant Program; creating the
4 program in the Department of Health; providing purposes;
5 authorizing certain property owners in certain areas of
6 the Wekiva basin to apply for grants for certain purposes;
7 providing grant limitations; providing for annual
8 adjustments of the amount of the grants; providing for the
9 grant as a rebate of costs incurred; requiring
10 documentation of costs; requiring the Department of Health
11 to adopt rules to administer the grant program; specifying
12 implementation as contingent upon appropriation; requiring
13 the Department of Environmental Protection to conduct a
14 study of sources of nitrogen input into the Wekiva River
15 and associated springs; requiring a report to the
16 Legislature; requiring the Department of Health to
17 contract for independent studies of sources of nitrogen
18 input from onsite wastewater and sewage treatment and
19 disposal systems into the Wekiva Study Area; requiring a
20 report to the Legislature; providing report requirements;
21 suspending certain department rulemaking until study
22 completion; requiring the Department of Health to develop
23 proposed rules for a model proposal applying to operation
24 and maintenance of onsite sewage treatment and disposal
25 systems in certain areas; specifying a rule criterion;
26 providing appropriations; providing an effective date.
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28 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Wekiva Onsite Sewage Treatment and Disposal System Compliance Grant Program.--

(1) The Wekiva Onsite Sewage Treatment and Disposal System Compliance Grant Program is created within the Department of Health, to be administered by the Department of Health. The purpose of the program is to provide grants to low-income property owners in the Wekiva Study Area or the Wekiva River Protection Area using onsite sewage treatment and disposal systems to assist the property owner in complying with rules for onsite sewage treatment and disposal systems developed by the Department of Health, the Department of Environmental Protection, or the St. Johns River Water Management District to enforce compliance with onsite sewage treatment and disposal system standards.

(2) Any property owner in the Wekiva Study Area or the Wekiva River Protection Area having an income less than or equal to 200 percent of the federal poverty guideline who is required by rule of the Department of Health, the Department of Environmental Protection, or the St. Johns River Water Management District to construct, reconstruct, alter, repair, or modify any new or existing onsite sewage treatment and disposal system on such property may apply to the Department of Health for a grant to assist the owner with the cost of compliance.

(3) The amount of the grant is limited to \$10,000 per property and shall be increased each calendar year by the change

55 in the annual average of the "materials and components for
56 construction" series of the producer price index, as calculated
57 and published by the United States Department of Labor, Bureau
58 of Statistics, from the previous calendar year.

59 (4) The grant shall be in the form of a rebate to the
60 property owner for costs incurred in complying with requirements
61 for onsite sewage treatment and disposal systems. The property
62 owner shall provide to the Department of Health in the
63 application for a grant documentation of costs incurred in
64 complying with requirements for such systems.

65 (5) The Department of Health shall adopt rules pursuant to
66 ss. 120.536(1) and 120.54 providing forms, procedures, and
67 requirements for applying for and disbursing grants under this
68 section and for documenting compliance costs incurred.

69 (6) Implementation of this section is contingent upon an
70 appropriation in the General Appropriations Act.

71 Section 2. (1) (a) The Department of Environmental
72 Protection shall conduct a study to determine the various
73 sources of nitrogen input into the Wekiva River and associated
74 springs contributing water to the river. The Department of
75 Environmental Protection shall prepare a report recommending
76 actions to be taken by the Department of Environmental
77 Protection and the St. Johns Water Management District that will
78 provide the best use of economic resources to reduce nitrogen
79 inputs into the river and associated springs. The Department of
80 Environmental Protection shall submit a report to the President

81 of the Senate and the Speaker of the House of Representative
82 before the 2007 Regular Session of the Legislature.

83 (b) The Department of Health shall contract for a study by
84 an independent entity to identify and quantify the nitrogen
85 loading from onsite wastewater treatment systems within the
86 Wekiva Study Area. The objectives of the study shall be
87 determined by the Department of Health's Technical Review and
88 Advisory Panel which shall also have oversight of the study. The
89 Department of Health shall present a report to the Governor, the
90 President of the Senate, and the Speaker of the House of
91 Representatives no later than February 1, 2007. The report shall
92 assess whether onsite wastewater treatment systems are a
93 significant source of nitrogen to the underlying groundwater
94 relative to other sources and shall recommend a range of
95 possible cost-effective onsite wastewater treatment system
96 nitrogen reduction strategies if contributions are significant.
97 Rulemaking pursuant to s. 369.318(2), Florida Statutes, shall be
98 suspended until the completion of the study.

99 (2) The Department of Health shall develop proposed rules
100 for a model proposal applying to operation and maintenance of
101 onsite sewage treatment and disposal systems within the Wekiva
102 Study Area or the Wekiva River Protection Area. At a minimum,
103 the rules shall require each property owner in the Wekiva Study
104 Area or the Wekiva River Protection Area having an onsite sewage
105 treatment and disposal system to pump out the system at least
106 once every 5 years.

107 Section 3. (1) The sum of \$250,000 is appropriated from
108 the General Revenue Fund to the Department of Environmental
109 Protection for the 2006-2007 fiscal year to be used by the
110 Department of Environmental Protection to conduct the study
111 required under paragraph (1)(a) of section 2.

112 (2) The sum of \$250,000 is appropriated from the General
113 Revenue Fund to the Department of Health for the 2006-2007
114 fiscal year to be used for purposes of the independent study the
115 Department of Health is required to contract for under paragraph
116 (1)(b) of section 2.

117 Section 4. This act shall take effect July 1, 2006.